

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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DOC #:  
DATE FILED: 5/10/12

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ANNMARIE MALLOZZI, individually and on :  
behalf of all others similarly :  
situated, :

Plaintiff, :

-v- :

INDUSTRIAL ENTERPRISES OF AMERICA, :  
INC.; JOHN MAZZUTO; JORGE YEPES; DENNIS :  
O'NEILL; and JAMES MARGULIES, :

Defendants. :

07 Civ. 10321

-----X  
OPT OUT OF IEAM, LLC as Assignee, and :  
on behalf of the following individual :  
Shareholders who opted out of the prior :  
Class Action Proceeding against :  
defendant, Industrial Enterprise of :  
America, Inc. (IEAM); et al., :

Plaintiffs, :

-v- :

INDUSTRIAL ENTERPRISES OF AMERICA, :  
INC., et al., :

Defendants. :

11 Civ. 8470 (DLC)

-----X  
ERNEST C. SEGUNDO, JR., and ERNEST C. :  
SEGUNDO, SR., :

Plaintiffs, :

-v- :

INDUSTRIAL ENTERPRISES OF AMERICA, :  
INC., and LAURENCE M. ROSEN, ESQ., as :  
Nominal Defendant Stakeholder, :

Defendants. :

11 Civ. 8836 (DLC)

ORDER

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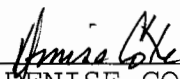
DENISE COTE, District Judge:

On March 30, 2012, a conference was held in the above-captioned cases. Following the conference, the parties submitted letters in which they made additional arguments regarding the deadline for asserting claims against the Holdback Fund. Having reviewed the parties' submissions, the Court adheres to its earlier conclusion that the Holdback Fund cannot be distributed until all of the potential claimants are known. Accordingly, it is hereby

ORDERED on May 31, 2013, or within seven days thereafter, counsel for IEAM shall inform the Court by letter of all claims that have been asserted against the Holdback Fund.

IT IS FURTHER ORDERED that the Court's Order of March 1, 2012 approving the settlement in case number 11 Civ. 9470 (DLC) is vacated. The Clerk of Court is directed to reopen the case.

Dated: New York, New York  
May 10, 2012

  
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DENISE COTE  
United States District Judge